

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

MICHAEL P. SMITH

v.

COMMISSIONER, SSA

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CIVIL ACTION NO. 4:20-CV-699

MEMORANDUM OPINION AND ORDER

The Court, having reviewed Plaintiff Michael P Smith's Application for Attorney Fees under the Equal Access to Justice Act, (Dkt. #27), and the Commissioner's Response, (Dkt. #29),¹ wherein the Commissioner does not object to the requested fee, finds that Plaintiff's Motion is well taken and should be granted. Accordingly,

It is therefore **ORDERED** that Plaintiff's Motion, (Dkt. #27), is **GRANTED**, and the Commissioner is directed to pay six thousand twenty-four dollars and ninety cents, (\$6,024.90), in attorney fees. Payment shall be made payable to Plaintiff and mailed to Plaintiff's counsel of record.

So ORDERED and SIGNED this 9th day of August, 2021.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE

¹ The Commissioner contends that a mathematical error exists in Plaintiff's calculations and the attorneys' fees requested is actually \$6,025.50. (Dkt. #29). However, the Commissioner erroneously used \$200.85 as the hourly rate, (Dkt. #29), instead of the hourly rate utilized by Plaintiff, \$200.83. (Dkt. #27). Because the Court finds that Plaintiff has calculated the correct amount, \$6,024.90, (Dkt. #27), the Court awards such amount.